

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NICK MAKREAS,

No. C-11-2406 MMC

Plaintiff,

**ORDER DENYING AS MOOT
DEFERRED PORTION OF
DEFENDANTS' MOTIONS TO DISMISS**

v.

THE MOORE LAW GROUP, A.P.C., et al.,

Defendants

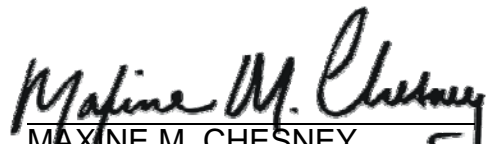
By order filed July 25, 2011, the Court granted in part and deferred in part ruling on defendants' motions to dismiss plaintiff's initial complaint. Specifically, the Court dismissed plaintiff's federal claims, with leave to amend, and deferred ruling on the motions to the extent the motions sought dismissal of plaintiff's state law claims.

On August 18, 2011, plaintiff filed a First Amended Verified Complaint. "[A]n amended pleading supersedes the original, the latter being treated thereafter as non-existent." Bullen v. De Bretteville, 239 F.2d 824, 833 (9th Cir. 1956), cert. denied, 353 U.S. 947 (1957).

Accordingly, to the extent the motions seek dismissal of the state law claims alleged in plaintiff's initial complaint, the motions are hereby DENIED as moot.

IT IS SO ORDERED.

Dated: August 24, 2011


MAXINE M. CHESNEY
United States District Judge